

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
June 23, 2015**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, June 23, 2015, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Donald E. Patterson presided and Clerk of Council, LaShaunah D. Lavender recorded the meeting. This meeting was telecast live on cable access.

Council Members Present: Patterson, Duke, Schrimpf, Klepacz, Lautar, Scott, and Wanamaker  
Council Members Absent: None  
Total Members Present: Seven (7)

Mayor Patterson led the audience in the Pledge of Allegiance and then gave the invocation. He introduced the cable TV operators, Josh Strehle, Earl Jones, Jacob McGimsey, and John McGimsey. He thanked them for their assistance.

APPROVAL OF MINUTES

June 9, 2015 – Council Meeting & Council Workshop Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Lautar seconded the motion and there being seven (7) yea votes, and no (0) nay votes for the June 9, 2015 Council Meeting & Council Workshop Minutes, the motion was declared carried by roll call vote.

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSIONS

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO: 4249-15  
BY: MR. DUKE AND MR. KLEPACZ

TO REZONE A PORTION OF 3600 WILMINGTON PIKE FROM R-2 ONE-FAMILY RESIDENCE DISTRICT TO B-GENERAL BUSINESS DISTRICT (PLANNING COMMISSION ZONING CASE 912-15)

Mr. Duke read the above ordinance and moved for approval. Mr. Klepacz seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE  
NO: 4250-15  
BY: MR. KLEPACZ AND MRS. SCHRIMPF

TO REZONE A PORTION OF 1604-1610 WILLAMET ROAD FROM B-GENERAL BUSINESS DISTRICT TO R-2 ONE-FAMILY RESIDENCE DISTRICT (PLANNING COMMISSION ZONING CASE 913-15)

Mr. Klepacz read the above ordinance and moved for approval. Mrs. Schrimpf seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE  
NO: 4251-15  
BY: MRS. SCHRIMPF AND MR. LAUTAR

TO AMEND SECTIONS 618.01 AND 618.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING

Mrs. Schrimpf read the above ordinance and moved for approval. Mr. Lautar seconded the motion.

A motion to amend this ordinance was taken followed by a verbal vote. The following votes were recorded. Mr. Duke I; Mr. Klepacz I; Mrs. Schrimpf I; Mr. Lautar I; Mr. Scott I; Mr. Wanamaker I; Mayor Patterson I. There being seven (7) in favor votes, and no opposed votes, the motion was moved to have a roll call to vote on the amended changes.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE  
NO: 4252-15  
BY: MR.LAUTAR AND MR.SCOTT

TO REZONE A PORTION OF 2648-2740 EAST DOROTHY LANE FROM R-1 SUBURBAN RESIDENCE DISTRICT TO R-2 ONE- FAMILY RESIDENCE DISTRICT (PLANNING COMMISSION ZONING CASE 914-15)

Mr. Lautar read the above ordinance and moved for approval. Mr. Scott seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE  
NO: 4253-15  
BY: MR.SCOTT AND MR. WANAMAKER

TO PROVIDE BY MUTUAL AGREEMENT FOR THE ADJUSTMENT OF THE BOUNDARIES BETWEEN THE CITIES OF KETTERING AND DAYTON, OHIO

Mr. Scott read the above ordinance and moved for approval. Mr. Wanamaker seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION  
NO: 9643-15  
BY: MR.WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE COST PARTICIPATION AGREEMENTS WITH THE CITY OF BEAVERCREEK FOR THE EAST STROOP ROAD IMPROVEMENTS PROJECT ( CITY PROJECT NO. 02-110o)

Mr. Wanamaker read the above resolution and moved for approval. Mr. Duke seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mr. Klepacz Yea; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION  
NO: 9644-15  
BY: MR. DUKE AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE KETTERING ICE ARENA SPACE EVALUATION STUDY

Mr. Duke read the above resolution and moved for approval. Mr. Klepacz seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea, Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION  
NO: 9645- 15  
BY: MR. KLEPACZ AND MRS. SCHRIMPF

DECLARING AS "SURPLUS" AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO SELL, THE CITY-OWNED PROPERTY KNOWN AS LOTS #1 AND #2 OF THE PRUGH WOODS RECORD PLAN

Mr. Klepacz read the above resolution and moved for approval. Mrs. Schrimpf seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

ORDINANCES IN FIRST READING

AN EMERGENCY ORDINANCE  
NO. 4254-15  
BY: MRS. SCHRIMPF AND MR. LAUTAR

CREATING A RESIDENTIAL TAX INCREMENT FINANCING INCENTIVE DISTRICT; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPORVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT; AND DECLARING AN EMERGENCY

Mrs. Schrimpf read the above ordinance and moved for approval. Mr. Lautar seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN EMERGENCY ORDINANCE  
NO: 4255-15  
BY: MR. LAUTAR AND MR. SCOTT

EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING; AND DECLARING AN EMERGENCY

Mr. Lautar read the above ordinance and moved for approval. Mr. Scott seconded the motion.

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

#### CERTIFICATIONS AND PETITIONS

##### MANAGER'S REPORT

Mr. Schwieterman, City Manager updated Council on upcoming and community events.

- Residents who want to exchange toter sizes can do so in August by calling Waste Management at 1-866-263-6445.
- Yard Debris Center will be closed on July 3, 2015 in observance of Independence Day. It will be open on Saturday, July 4, 2015.
- Go 4<sup>th</sup> will be Saturday, July 4, 2015 at Delco Park.
- City offices will be closed Friday, July 3, 2015 in observance of Independence Day.
- Household Hazardous Waste Drop-off will be July 18, 2015 from 9a.m.-noon at 1001 Encrete Lane.
- Shredding Day will be September 12, 2015 from 9a.m.-noon at 3600 Shroyer Road.
- Neighborhood Pride Nominations forms have been mailed to residents. The deadline is August 1, 2015.
- Waste Management bills have been received. They are not charging residents for the toters, but for the service from July-September.
- Curbside program starts Monday, June 29, 2015.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

##### Communications and Reports

##### Audience Participation (5 Minute Limit per Speaker)

**Ron Johnston**- 3090 Southdale Dr.-Spoke in front of Council and was concerned about the residents living at 1259 Westcliff Court. He is concerned that this facility is located close to Southdale School. Mr. Johnston was concerned as to if our Public Officials are trusted enough to make proper decisions when it comes to zoning. The murder that took place within his neighborhood is a symbol of failed policy. Mr. Johnston is concerned about the safety of children when a murder is taking place at this housing facility.

**Walter Bale**- 2953 Westcott Drive- Spoke in front of Council and was concerned about the Prugh Woods Property. He mentioned that the passing of the legislation tonight to develop Prugh Woods is considered a murder to the property. He mentioned that this site is the last remaining forest site on the east side of Kettering. Prugh Woods was intended for low activity usage, and now the beauty of that property will be destroyed. He mentioned what gives Council the moral authority to do what they have done this evening. Once the City sells the land to the developer, they will have little to say about what can be done to that land.

**Susan Schmidt**- 2737 E. Dorothy Lane- Spoke in front of Council and is heartbroken that money is more important than life. The term "surplus" was used this evening in a piece of legislation to describe Prugh Woods. She is dismayed that Council only sees this site as an investment, and they are failing to see the true beauty of Prugh Woods. Instead of developing the land, Prugh Woods would be ideal for a dog park. Instead, she mentions that homes are used to fix what government cannot account for. She will use her knowledge that she has learned attending the City of Kettering Council Meetings during election time.

#### COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He mentioned that Kettering Leadership Applications are now available.

Mr. Klepacz reported:

- He was a volunteer at the Fishing Derby over at Delco Park. He had to pull fish off of the hooks, and he also saw a bass and a catfish caught.
- On June 14, 2015, he went to a birthday party for Margaret Haemmerle who turned 100 years old.
- On June 17, 2015, Sister Cities hosted Spass Nacht. There was a lot of rain.
- He encouraged residents to continue to support Kettering businesses.

Mrs. Schrimpf reported:

